

Message Text

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ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 INRE-00 NSCE-00 CIAE-00 /026 W
-----076405 180418Z /21/44

O 171048Z AUG 77 ZFF-6
FM AMEMBASSY LUSAKA
TO SECSTATE WASHDC NIACT IMMEDIATE 6358
INFO AMEMBASSY LONDON NIACT IMMEDIATE
AMEMBASSY DAR ES SALAAM NIACT IMMEDIATE
AMEMBASSY PRETORIA IMMEDIATE
USMISSION USUN NEW YORK IMMEDIATE

C O N F I D E N T I A L LUSAKA 2438

EXDIS

C O R R E C T E D C O P Y (F O R T E X T)

E.O. 11652 XGDS-1
TAGS: PDEV, RH, US, UK
SUBJECT: LAW AND ORDER IN THE TRANSITION PERIOD

REF: (A) LONDON 13682, (B) STATE 194988

1. WHILE I HAVE NOT SEEN THE ACCOUNT OF NYERERE'S REACTION TO PRESIDENT CARTER'S LETTER, I AM INCLINED TO AGREE WITH THE DEPARTMENT THAT THE DRAFT STATEMENT ON LAW AND ORDER IN THE TRANSITIONAL PERIOD MAY NOT SATISFY NYERERE. FURTHERMORE, I BELIEVE THAT ENTERING INTO A NEGOTIATION OF DETAILS WITH HIM ON THIS SUBJECT AT THIS TIME WILL LEAD US TO MAKE COMMITMENTS WHICH WILL BE ENTIRELY UNACCEPTABLE TO THE RHODESIANS AND SOUTH AFRICANS AND WHICH WILL PROVIDE THEM WITH A BASIS TO REJECT OUR PROPOSAL.

2. I UNDERSTAND THE COMMITMENT WHICH PRESIDENT CARTER MADE TO PRESIDENT NYERERE WITH REGARD TO BASING THE
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INDEPENDENCE ARMY ON THE LIBERATION FORCES. IT IS CLEAR, FURTHERMORE THAT ANY INDEPENDENT GOVERNMENT OF ZIMBABWE WILL CHOOSE ITS OWN ARMED FORCES AND MOLD IT TO ITS DESIRES (THOUGH I BELIEVE THAT VIRTUALLY ANY LEADER WHO EMERGES IS LIKELY TO WANT TO CONSERVE A SUBSTANTIAL ELEMENT OF THE PRESENT PROFESSIONAL FORCE.) FURTHERMORE, IT IS AT LEAST DEBATABLE WHETHER ALL THE BLACK POPULATION OF RHODESIA WANTS THE PRESENT PRO-

FESSIONAL ARMY REPLACED BY THAT OF THE PATRIOT FRONT. NYERERE HAS AN INTEREST IN SEEING THE MATTER DECIDED AS EARLY AS POSSIBLE IN FAVOR OF THE FORCES OPERATING OUT OF MOZAMBIQUE AND THOSE IN TRAINING INSIDE TANZANIA. THIS IS HARDLY LIKELY TO BE WHAT EITHER NKOMA OR KUANDA WISH TO SEE HAPPEN. I BELIEVE, THEREFORE, THAT WE SHOULD AVOID ALLOWING OURSELVES TO BE DRAWN INTO NEGOTIATIONS WITH NYERERE ON THE ARMY OF AN INDEPENDENT ZIMBABWE AND, AS MUCH AS POSSIBLE, ON THE TRANSITION ARRANGEMENTS.

3. WE SHOULD BE UNDER NO ILLUSIONS THAT AN AGREEMENT WHICH BECOMES PUBLIC AND EMBODIES THE PRINCIPLE THAT THE FUTURE ARMY OF ZIMBABWE WILL BE BASED ON THE LIBERATION FORCES WILL BE UNACCEPTABLE TO RHODESIA AND SOUTH AFRICA. UP TO THIS POINT THERE IS NOTHING IN THE UK-US PROPOSAL WHICH SMITH CAN HOLD UP AS BEING CONTRARY TO THE INTERESTS OF THE WHITE POPULATION. TRUE, IT DOES NOT CONTAIN THE SAFEGUARDS AND ASSURANCES HE ASKED FOR, BUT NEITHER DOES IT CONTAIN ANYTHING HE CAN STRONGLY OBJECT TOO. INCLUSION OF THIS PRINCIPLE WILL PROVIDE HIM AND THE SOUTH AFRICANS WITH A BASIS FOR REJECTING OUR PROPOSAL OUT OF HAND AND HE WILL BE SUPPORTED IN THIS BY MOST OF THE WHITE POPULATION OF RHODESIA. NOT BECAUSE THE PROPOSAL IS SO EXTREME, BUT BECAUSE THE WHITE POPULATION IS SIMPLY NOT YET CONDITIONED TO ACCEPT WHAT THEY WOULD CONSIDER TO BE TOTAL SURRENDER, CONFIDENTIAL

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I.E., IMPOSITION WITHIN A YEAR OF THE ARMY AGAINST WHICH THEY ARE NOW STRUGGLING. THEY PROBABLY WOULD BE PREPARED TO ACCEPT A PROFESSIONALLY TRAINED ARMY MADE UP OF ELEMENTS OF VARIOUS FORCES UNDER AFRICAN LEADERSHIP BUT NOT AN ARMY CONSISTING ESSENTIALLY OF THE PATRIOTIC FRONT FORCES. EVEN THOUGH THIS CONCEPT IS NOW CONTAINED IN THE LETTER FROM PRESIDENT CARTER TO PRESIDENT NYERERE, I STRONGLY RECOMMEND AGAINST ITS BEING INCLUDED IN THE FORM SUGGESTED BY THE DEPARTMENT (PARA 10 REFTTEL B) IN ANY PART OF THE FORMAL PROPOSAL, PARTICULARLY SINCE I DO NOT BELIEVE IT IS LIKELY TO BE HONORED EVEN BY THE ULTIMATE LEADERSHIP OF AN INDEPENDENT ZIMBABWE.

4. SINCE I BELIEVE THAT NEITHER SMITH NOR A SUCCESSOR(ARMY OR CIVILIAN) WOULD BE PREPARED TO NEGOTIATE AN AGREEMENT INCLUDING THE CONCEPT, ITS INCLUSION WOULD PROVIDE THEM WITH THE RATIONALE THEY NEED TO TURN TO AN INTERNAL SETTLEMENT. THUS BY INCLUDING IT WE WOULD BE ASSURING MOVEMENT TOWARDS SUCH A SETTLEMENT. WITH ALL THE PROBLEMS THAT ENTAILS.

5. WHILE I DO NOT KNOW EXACTLY THE TERMS UNDER WHICH NYERERE OBJECTED TO PRESIDENT CARTER'S LETTER, I WOULD BE INCLINED TO RECOMMEND THAT IF THERE IS ANY POSSIBILITY OF AVOIDING FURTHER DIALOGUE ON THIS ISSUE, WE NOT SEND NYERERE A DETAILED DESCRIPTION OF LAW AND ORDER PROVISIONS DURING THE TRANSITION GOVERNMENT. AS I SAID ABOVE, I BELIEVE THAT WE WILL NOT SATISFY HIM AND ARE BOUND TO INCLUDE PROVISIONS UNACCEPTABLE TO THE WHITE POPULATION OF RHODESIA AND SOUTH AFRICA. INSTEAD I THINK WE SHOULD INSIST UPON MOVING AHEAD WITH THE PRESENTATION OF THE PROPOSALS TO THE FRONTLINE. WE COULD SAY THAT BOTHA HAD APPEALED TO US TO DELAY PRESENTATION OF OUR PROPOSAL UNTIL AFTER THE RHODESIAN ELECTION. WE FELT STRONGLY THAT WE MUST PROCEED WITHOUT DELAY AND THAT WE SHOULD NOT PERMIT OUR INITIATIVE TO BE DISTORTED BY
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SMITH'S ELECTION. THEREFORE, WE INSISTED UPON PROCEEDING ANYWAY. FURTHER DELAY WILL STRENGTHEN SMITH AND PLAY INTO THE HANDS OF THE RHODESIANS AND SOUTH AFRICANS. WE WOULD ALSO REMIND NYERERE OF PRESIDENT CARTER'S DESIRE TO PROCEED WITH ALL DELIBERATE SPEED AND THE COMMITMENT TO CALL A MEETING OF THE FRONT LINE. FINALLY, WE COULD SAY THAT WE BELIEVE THE SUBJECT IS SO COMPLEX AND SENSITIVE THAT IT SHOULD BE NEGOTIATED IN ITS DETAIL WITH ALL THE PARTIES DIRECTLY INVOLVED.
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Message Attributes

Automatic Decaptioning: Z
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW, INTERIM GOVERNMENT, POLITICAL SETTLEMENT, FORM OF GOVERNMENT
Control Number: n/a
Copy: SINGLE
Sent Date: 17-Aug-1977 12:00:00 am
Decaption Date: 22 May 2009
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977LUSAKA02438
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: X1
Errors: N/A
Expiration:
Film Number: D770313-0621, D770296-0950
Format: TEL
From: LUSAKA
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770853/aaaabswk.tel
Line Count: 146
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 2b286b59-c288-dd11-92da-001cc4696bcc
Office: ACTION SS
Original Classification: CONFIDENTIAL
Original Handling Restrictions: EXDIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: EXDIS
Reference: 77 LONDON 13682, 77 STATE 194988
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 10-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1578605
Secure: OPEN
Status: NATIVE
Subject: LAW AND ORDER IN THE TRANSITION PERIOD
TAGS: PDEV, PORS, RH, US, UK, ZA
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/2b286b59-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009